

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4023 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE J.M.PANCHAL

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

J D GOSWAMI

Versus

STATE OF GUJARAT

Appearance:

MR PV HATHI for Petitioners
MR RC KODEKAR, AGP for respondent Nos.1,2
M/S PATEL ADVOCATES for Respondent No. 3

CORAM : MR.JUSTICE J.M.PANCHAL

Date of decision: 15/09/2000

ORAL JUDGEMENT

By means of filing this petition under Article
226 of the Constitution, the petitioners who are working
as Field Workers have prayed to direct the respondent
No.4 to promote them to the post of Block Extension

Educator in view of the provisions of Gujarat Panchayat (Classification and Recruitment) Rules, 1967, as amended in the year 1977.

2. Mr. R.C.Kodekar, learned Assistant Government Pleader for respondent Nos. 1 and 2 has produced xerox copies of office orders dated January 4, 1990 and February 13, 1991, passed by the District Development Officer, Bhavnagar. They are ordered to be taken on record of the case. The contents of the abovererferred to two orders indicate that petitioner Nos. 1 to 4 are already promoted to the post of Block Extension Educator and, therefore, grievance made by them in the petition now does not survive. Mr. R.C. Kodekar, learned Assistant Government Pleader on instructions states at the bar that petitioner No.5 is not promoted to the post of Block Extension Educator because the scheme is closed in the year 1995. Having regard to the facts of the case, I am of the view that the petition has become infructuous and deserves to be disposed of accordingly.

3. For the foregoing reasons, rule is discharged with no order as to costs. The petition stands disposed of as having become infructuous. Liberty is reserved to the petitioner No.5 to move the Court in case of difficulty.

15-9-2000 (J.M.Panchal, J.)

*mithabhai